

REMARKS

New claims 29-53 are added, and claims 1, 14-15, 18-19, 21, and 26-28 are canceled, without prejudice or disclaimer. Claims 29-53 are pending.

New claims 29-53 are based on the application as originally filed. In particular, every element, step, and feature are shown in FIGS. 1-3a and described throughout the application, such as the cover 1 having a flexible material portion including a sheath 7, securing means 4a, biasing means 5 disposed in the sheath 7, and affixing means 6.

In addition, the biasing means in claims 29-53 includes a zipper for removably attaching the biasing means 5 to the sheath housing, as described on page 14, first paragraph, corresponding to paragraph [0066] of the published application. Accordingly, it is respectfully submitted that no new matter has been added.

In the final office action, the drawings were objected to in view of features recited in claim 15, and claims 1, 14-15, 18-19, 21, and 26-28 were rejected under 35 U.S.C. § 112. In addition, the claims were finally rejected in view of the cited art.

Claims 1, 14-15, 18-19, 21, and 26-28 are canceled, so reconsideration and withdrawal of the objections to the drawings and the rejection of the previous claims under 35 U.S.C. § 112 and in view of the cited art are respectfully requested.

It is respectfully submitted that new claims 29-53 are patentable over the cited art. In particular, the pending claims recite a cover and a method for use of the cover, including a flexible material portion including a sheath, securing means, biasing means disposed in the sheath, and affixing means, as well as a zipper on the biasing means for removably attaching the biasing means to the sheath housing.

The previously cited art of McVicker does not disclose or suggest all of the elements, steps, and features of the present invention as recited in new claims 29-53, since McVicker does not disclose or suggest that the control means 32, provided by a spring device, is removable, and furthermore, there is no disclosure or suggestion that the control means 32 or spring of McVicker is retained in the pocket 34 by a zipper, as in the present invention.

One having ordinary skill in the art would not look to McVicker for the present invention. On the contrary, McVicker teaches away from the present invention, since McVicker, column 3, lines 45-51 states that the control means 32 is “retained near the lower edge 30 in an elongated pocket 34 ... After control means 32 is positioned in the pocket 34, the ends 38 and 40 of pocket 34 are stitched to close the pocket 34” (emphasis added).

Since McVicker seals the pocket 34 in which the spring is retained, it would be necessary for the user to perform extra work to unstitch or otherwise breach the pocket 34 to remove the spring of McVicker, and further work is required to re-stitch the pocket 34 closed after reinserting the spring or inserting a new spring.

McVicker lacks the advantages of the present invention, which provides an accessible and removable biasing means which is readily removed by simply unzipping the zipper to detach the biasing means from the sheath housing of the present invention, and which is readily re-inserted and re-secured by simply zipping the zipper after insertion of the old zipper or of a new zipper.

To provide such elements, steps, and features of McVicker, one would of necessity be required to acquire or construct a biasing means with a zipper, which would increase the costs of the device of McVicker.

Therefore, McVicker lacks the advantages of the present invention, and modification of McVicker would require additional costs and effort to provide the elements, steps, features, and advantages of the present invention. Accordingly, the present invention is patentable over McVicker.

None of the remaining art cures the deficiencies of McVicker to provide a removable biasing means with a zipper, as in the present invention.

Accordingly, the present invention in pending claims 29-53 is patentable over the cited art, so reconsideration and withdrawal of the rejections are respectfully requested.

Entry and approval of the present amendment, including entry and favorable consideration of new claims 29-53, and allowance of all pending claims are respectfully requested.

In case of any deficiencies in fees by the filing of the present amendment, the Commissioner is hereby authorized to charge such deficiencies in fees to Deposit Account Number 01-0035.

Respectfully submitted,



Anthony J. Natoli
Registration number 36,223
Attorney for applicant

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ABELMAN, FRAYNE & SCHWAB
666 Third Ave., 10th Floor
New York, NY 10017-5621
(212) 949-9022